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11 XX GLOBAL, INC. and JACQUES WEBSTER

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13  
14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION  
16

17 PJAM LLC,  
18 Plaintiff,  
19 vs.  
20 XX GLOBAL, INC., JACQUES  
21 WEBSTER, and DOES 1-20, inclusive,  
22 Defendants.

CASE NO.: 2:18-cv-03192 JFW  
(MRWx)

Hon. John F. Walter

**[PROPOSED] PRETRIAL EXHIBIT  
STIPULATION**

23 XX GLOBAL, INC., JACQUES  
24 WEBSTER,  
25 Counterclaimants,  
26 vs.  
27 PJAM LLC, JEFFERSON AGAR,  
28 ALEX MARTINI, PATRICK  
JOHNSTON, and ROES 1 through 10,  
inclusive,  
Counterclaim Defendants.

Pre-Trial Conf.: March 29, 2019

Trial Date: April 9, 2019

Action Commenced: March 20, 2018

Pursuant to Federal Rule of Civil Procedure 26(a)(3)(iii), Local Rule 16-6.1, and the Court's Scheduling and Case Management Order, Plaintiff and Counterclaim Defendant PJAM LLC, Counterclaim Defendants Jefferson Agar, Alex Martini, and Patrick Johnston (collectively, "PJAM"), and Defendants and Counterclaimants XX Global, Inc. and Jacques Webster (together, "Defendants"), respectfully submit the following Proposed Pre-Trial Exhibit Stipulation that the parties presently intend to offer as evidence at trial:

<b>PLAINTIFF'S EXHIBITS</b>				
<b>Case Name: PJAM LLC, et al. vs. XX GLOBAL, INC., et al.</b>				
<b>Case Number: CV 2:18-03192 JFW (MRWx)</b>				
<b>Exhibit No.</b>	<b>Description</b>	<b>Witness</b>	<b>If Objection. State Grounds</b>	<b>Response to Objection</b>
1.	January 24, 2018 Agreement.	Stipulated		
2.	Collection of Wells Fargo wire transfer records.	Thomas Johnston, Alex Martini, Jefferson Agar		
3.	Trip Information and Confirmation Sheet	Jefferson Agar, Moshe Malamud, Brett Lockett		
4.	8/28/2017 Agreement with Moxy Hotels.	Alex Martini, Jefferson Agar, Patrick Johnston		
5.	12/10/2017 Group Sales Agreement with Emerald Inn.	Alex Martini, Jefferson Agar, Patrick Johnston		
6.	2/5/2018 Emerald Inn sales receipt.	Alex Martini, Jefferson Agar, Patrick Johnston		

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7.	Beverage distributor price list.	Alex Martini, Jefferson Agar, Patrick Johnston	Exhibit 7 appears to be a summary of other documents, which have not been made available to Defendants for examination or copying. Fed. R. Evid. 1006; <i>Amarel v. Connell</i> , 102 F.3d 1494, 1516-1517 (9th Cir. 1996). Nor has Plaintiff established that the underlying documents are voluminous and admissible. <i>Id.</i>	This is not a summary, chart, or calculation to prove the content of voluminous writings governed by Fed. R. Evid. 1006.
8.	PJAM payroll journal.	Alex Martini, Jefferson Agar, Patrick Johnston	Exhibit 8 a summary of other documents, which have not been made available to Defendants for examination or copying. Fed. R. Evid. 1006; <i>Amarel v. Connell</i> , 102 F.3d 1494, 1516-1517 (9th Cir. 1996). Nor has Plaintiff established that the underlying documents are voluminous and admissible. <i>Id.</i>	This is not a summary, chart, or calculation to prove the content of voluminous writings governed by Fed. R. Evid. 1006.

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9.	Twin City Live budget.	Alex Martini, Jefferson Agar, Patrick Johnston	Exhibit 9 appears to be a summary of other documents, which have not been made available to Defendants for examination or copying. Fed. R. Evid. 1006; <i>Amarel v. Connell</i> , 102 F.3d 1494, 1516-1517 (9th Cir. 1996). Nor has Plaintiff established that the underlying documents are voluminous and admissible. <i>Id.</i>	This is not a summary, chart, or calculation to prove the content of voluminous writings governed by Fed. R. Evid. 1006.
10.	Employee list.	Alex Martini, Jefferson Agar, Patrick Johnston	Exhibit 10 appears to be a summary of other documents, which have not been made available to Defendants for examination or copying. Fed. R. Evid. 1006; <i>Amarel v. Connell</i> , 102 F.3d 1494, 1516-1517 (9th Cir. 1996). Nor has Plaintiff established that the underlying documents are voluminous and admissible. <i>Id.</i>	This is not a summary, chart, or calculation to prove the content of voluminous writings governed by Fed. R. Evid. 1006.

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Case Number: CV 2:18-03192 JFW (MRWx)				
Exhibit No.	Description	Witness	If Objection. State Grounds	Response to Objection
11.	Chase Bank statements.	Alex Martini, Jefferson Agar, Patrick Johnston	Exhibit 11 appears to be a summary of other documents, which have not been made available to Defendants for examination or copying. Fed. R. Evid. 1006; <i>Amarel v. Connell</i> , 102 F.3d 1494, 1516-1517 (9th Cir. 1996). Nor has Plaintiff established that the underlying documents are voluminous and admissible. <i>Id.</i>	This is not a summary, chart, or calculation to prove the content of voluminous writings governed by Fed. R. Evid. 1006.
12.	PJAM transaction detail report.	Alex Martini, Jefferson Agar, Patrick Johnston	Exhibit 12 appears to be a summary of other documents, which have not been made available to Defendants for examination or copying. Fed. R. Evid. 1006; <i>Amarel v. Connell</i> , 102 F.3d 1494, 1516-1517 (9th Cir. 1996). Nor has Plaintiff established that the underlying documents are voluminous and admissible. <i>Id.</i>	This is not a summary, chart, or calculation to prove the content of voluminous writings governed by Fed. R. Evid. 1006.
13.	Expert report of Alex Martini	Alex Martini		

<b>DEFENDANTS' EXHIBITS</b>				
<b>Case Name: PJAM LLC, et al. vs. XX GLOBAL, INC., et al.</b>				
<b>Case Number: CV 2:18-03192 JFW (MRWx)</b>				
<b>Exhibit No.</b>	<b>Description</b>	<b>Witness</b>	<b>If Objection. State Grounds</b>	<b>Response to Objection</b>
26.	3/29/2019 email chain from Zach Seidman to Mattias Eng. [SCOTT000004-5]	Zach Seidman		
27.	4/3/2018 email from Zach Seidman to David Stromberg. [SCOTT000014-15]	David Stromberg / Zach Seidman		
28.	4/3/2018 email from Zach Seidman to David Stromberg. [SCOTT000018-19]	David Stromberg / Zach Seidman		
29.	3/29/2018 email chain from Zach Seidman to Mattias Eng. [SCOTT000020-23]	David Stromberg / Zach Seidman		
30.	2/4/2018 email from Mattias Eng to Conah Howard, Zach Seidman, Jefferson Agar with copy to David Stromberg, Mark Gillespie, Laurie Soriano and Dominique at Team-Tristar. [SCOTT000031]	Zach Seidman / David Stromberg / Jefferson Agar		
31.	2/2/2018 TMZ Exclusive, "Travis Scott Working A Double Shift Super Bowl LII Weekend" downloaded from <a href="http://amp.tnz.com">http://amp.tnz.com</a> [SCOTT000032-35]	David Stromberg / Jefferson Agar	Lacks foundation.	This is a form objection with no explanation. Foundation will be established for this exhibit through testimony at trial.
32.	2/3/2018 M2Jets Trip Information and Confirmation invoice prepared for Jefferson Agar in the amount of \$41,805.22. [SCOTT000042]	David Stromberg / Jefferson Agar	Lacks foundation (illegible).	This document came from Plaintiff's records. Defendants will attempt to work with Plaintiff before trial to identify a clearer copy. But, this copy is legible.

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<b>Exhibit No.</b>	<b>Description</b>	<b>Witness</b>	<b>If Objection. State Grounds</b>	<b>Response to Objection</b>
33.	1/25/2018 to 2/3/2018 Text Messages from David Stromberg to Jefferson Agar and Patrick Johnston. [SCOTT000043-56]	David Stromberg / Jefferson Agar		
34.	Undated text messages from David Stromberg. [SCOTT000028-30]	David Stromberg / Jefferson Agar		
35.	1/24/2018 Agreement Re 2018 Super Bowl Concert/Appearance – Travis Scott. [SCOTT000057-60]	David Stromberg / Alex Martini		
36.	3/20/2018 Complaint in an action entitled, <u>PJAM LLC vs. XX Global, Inc., Jaques Webster, et al.</u> [9pp.]	David Stromberg		
37.	4/17/2018 Answer and Counterclaims of Defendants and Counterclaimants XX Global, Inc. and Jacques Webster in an action entitled, <u>PJAM LLC vs. XX Global, Inc., Jaques Webster, et al.</u> [18pp.]	David Stromberg		
38.	6/25/2018 Counterclaim Defendants Jefferson Agar, Patrick Johnson and Alex Martini's Answer to Counterclaims in an action entitled, <u>PJAM LLC vs. XX Global, Inc., Jaques Webster, et al.</u> [9pp]	Alex Martini		
39.	5/15/2018 Summons and Complaint in a New York action entitled, <u>PJAM Productions, LLC vs. M Light, LLC, d/b/a "Myth Live" and Michael Ogren.</u> Index No. 652409/2018.	Alex Martini	Irrelevant and prejudicial.	

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**DEFENDANTS' EXHIBITS****Case Name: PJAM LLC, et al. vs. XX GLOBAL, INC., et al.****Case Number: CV 2:18-03192 JFW (MRWx)**

<b>Exhibit No.</b>	<b>Description</b>	<b>Witness</b>	<b>If Objection. State Grounds</b>	<b>Response to Objection</b>
40.	2/4/2018 weather report from NOAA: <a href="https://www.weather.gov/media/mpx/Climate/STC/feb2018.pdf">https://www.weather.gov/media/mpx/Climate/STC/feb2018.pdf</a>	David Stromberg / Patrick Johnston	Lacks foundation; hearsay; Fed. R. Evid. 1006.	These are form objections with no explanations. This document from the National Oceanic and Atmospheric Administration is subject to judicial notice – it simply shows the weather in the Minneapolis / St. Paul area on the day of the event at issue. Fed. R. Evid. 201.
41.	3/5/2019 deposition transcript of Alex Martini.			
42.	Undated M2JetsTrip Information and Confirmation provided by Plaintiff to Defendant at Mediation. [2pp.]	Alex Martini / Patrick Johnston / David Stromberg		
43.	Undated timeline entitled, "A Workable Alternative: Departure From Minneapolis-St. Paul International Airport." [1pg.]	Alex Martini / Patrick Johnston / David Stromberg	These are demonstrative exhibits that lack foundation.	These are demonstratives for trial, for which no foundation is needed. If this timeline is used as substantive evidence at trial, foundation will be established through testimony.
44.	Undated timeline entitled, "Plaintiffs' Offered Itinerary: Departure From St. Cloud Regional Airport."	Alex Martini / Patrick Johnston / David Stromberg	These are demonstrative exhibits that lack foundation.	These are demonstratives for trial, for which no foundation is needed. If this timeline is used as substantive evidence at trial, foundation will be established through testimony.



<b>DEFENDANTS' EXHIBITS</b>				
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<b>Exhibit No.</b>	<b>Description</b>	<b>Witness</b>	<b>If Objection. State Grounds</b>	<b>Response to Objection</b>
45.	Undated Illustrative/ Graphic Exhibit – To be Provided		These exhibits have not been provided to Plaintiff's counsel for review and are thus untimely.	This is a placeholder. Any additional illustrations for trial will be timely disclosed to Plaintiff per the Court's Scheduling and Case Management Order.
46.	Undated Illustrative/ Graphic Exhibit – To be Provided		These exhibits have not been provided to Plaintiff's counsel for review and are thus untimely.	This is a placeholder. Any additional illustrations for trial will be timely disclosed to Plaintiff per the Court's Scheduling and Case Management Order.

47.	Undated Illustrative/ Graphic Exhibit – To be Provided		These exhibits have not been provided to Plaintiff’s counsel for review and are thus untimely.	This is a placeholder. Any additional illustrations for trial will be timely disclosed to Plaintiff per the Court’s Scheduling and Case Management Order.
48.	Undated Illustrative/ Graphic Exhibit – To be Provided		These exhibits have not been provided to Plaintiff’s counsel for review and are thus untimely.	This is a placeholder. Any additional illustrations for trial will be timely disclosed to Plaintiff per the Court’s Scheduling and Case Management Order.

**IT IS SO STIPULATED.**

DATED: March 14, 2019

KING, HOLMES, PATERNO &  
SORIANO, LLP

By: /s/ Howard E. King

HOWARD E. KING

MATTHEW J. CAVE

Attorneys for Defendants and  
Counterclaimants XX GLOBAL, INC. and  
JACQUES WEBSTER

1 DATED: March 14, 2019

HILL, FARRER & BURRIL LLP

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By: /s/ Stephen J. Tomasulo

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STEPHEN J. TOMASULO

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Attorneys for Plaintiff and Counterclaim

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Defendant PJAM LLC, and Counterclaim

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Defendants JEFFERSON AGAR, ALEX

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MARTINI and PATRICK JOHNSTON

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